

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Examiner: Casca, Fred A.
)
 Nelson et al.) Art Unit: 2617
)
 Application No.: 09/975,287) Confirmation No. 1098
)
 Filed: October 10, 2001)
)
 For: WIRELESS MOBILE PHONE)
 WITH ENCODED DATA ENTRY)
 FACILITIES)
 _____)

U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS

Dear Sir:

Assignee, Varia LLC, is entitled to assert small entity status for the above-referenced patent application pursuant to 37 CFR 1.27 and requests that you amend your records in accordance with this assertion.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: September 15, 2008

/AI AuYeung/

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